



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

JAN 13 2010

The Honorable Jared Huffman
California State Assembly
3501 Civic Center Drive, Suite 412
San Rafael, California 94903

Dear Assemblyman Huffman:

Thank you for your letter of November 19, 2009, concerning the U.S. Department of Agriculture's (USDA) consideration of petitions to reclassify the light brown apple moth (LBAM) as a non-quarantine pest.

I recognize your continuing concerns about this issue, and I assure you that USDA's Animal and Plant Health Inspection Service (APHIS) remains firmly committed to using the best and most rigorous science available in its decisionmaking regarding LBAM. As you may know, in response to the petitions, APHIS assembled three expert teams to conduct objective, in-depth examinations of the potential technical, economic, and regulatory consequences of deregulating LBAM. The technical team considered the overall merits of the petitions and evaluated the potential ecological and biological effects of deregulating this insect. The economics team assessed the potential economic impact of such deregulation on U.S. agriculture, natural resources, and international agricultural trade, while the regulatory team examined potential effects on State regulators and on interstate commerce of LBAM host crops. The teams ultimately concluded that LBAM is an invasive pest of economic importance that poses a significant threat to America's agriculture and natural resources. They determined that LBAM should be classified as a regulated pest because it meets internationally established criteria for a quarantine pest.

Pursuant to the recommendations of a panel of scientists chosen by the National Academy of Sciences' National Research Council (NRC), APHIS subsequently revised its draft response to the petitions. For instance, we offered a more thorough economic analysis of the damage that LBAM could cause, provided a more detailed look at its potential impacts on threatened and endangered species, and further clarified its invasive nature. The text of our revised response, which incorporates the NRC's recommendations, is posted at: http://www.aphis.usda.gov/plant_health/plant_pest_info/lba_moth/index.shtml. However, we must emphasize that—although the NRC panel may not have agreed with all aspects of our decision—it determined that APHIS had acted within its authority to continue classifying LBAM as a quarantine actionable pest.

The Honorable Jared Huffman

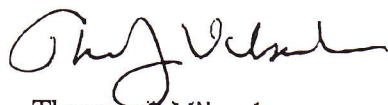
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In the near future, APHIS intends to publish the revised draft response to the petitions in the Federal Register to solicit public comment. Our officials will then evaluate all comments received during the comment period and, if warranted, revise the conclusions of the technical review. We will then publish the final conclusions in the Federal Register and announce our decision on the petitions to deregulate LBAM as a quarantine pest. I assure you that this decision will be based upon the best scientific data available to us.

Also in response to NRC comments, APHIS is preparing a non-technical question-and-answer document designed to advance public understanding of the rationale for the LBAM program. Upon completion, this information will be posted on the APHIS Web site.

I hope this information assures you that USDA will continue to employ the best science and safest tools available to address LBAM.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tom Vilsack', with a stylized, flowing script.

Thomas J. Vilsack
Secretary